

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

DANIEL E. WILKINS,)	
)	
Plaintiff,)	
)	
v.)	Cause No. 3:23-CV-01114-PPS-APR
)	
WILLIAM REDMAN, <i>et al.</i> ,)	
)	
Defendants.)	

MOTION TO FILE SECOND AMENDED COMPLAINT

Plaintiff Daniel E. Wilkins, by counsel, requests leave of Court to file his Second Amended Complaint that sets forth, in addition to the claims pled by Daniel E. Wilkins in his Complaint for Violation of Civil Rights (Prisoner Complaint) against St. Joseph County Sheriff William Redman and Russell Olmstead, as Warden of the St. Joseph County Jail, claims of denial and withholding of medical care against Defendant Wellpath, LLC, and pursuant to Rule 15(b) of the Federal Rules of Civil Procedure, would show the Court that:

1. Plaintiff filed a Complaint for violations of civil rights (Prisoner Complaint) naming William Redman and Russell Olmstead on or about December 26, 2023 (DE 1).
2. The Court ordered Plaintiff to file an amended complaint by February 1, 2024 (DE 6).
3. Plaintiff filed an Amended Complaint on January 29, 2024 (DE 8).
4. Christopher C. Myers entered his appearance on March 12, 2024.
5. Even though Plaintiff filed a First Amended Complaint on January 29, 2024, Plaintiff's counsel learned that the third-party medical provider responsible for Plaintiff's medical care at the St. Joseph County Jail was Wellpath, LLC.
6. The primary purpose of seeking leave to file a second amended complaint is to add

Wellpath, LLC as a party Defendant to this action, as well as clarify exactly what claims he is bring against each of the Defendants.

7. Plaintiff's Second Amended Complaint is attached hereto and made a part hereof.

WHEREFORE, Plaintiff requests that the Court him leave to file his Second Amended Complaint, and for all other just and proper relief in the premises (including that the Second Amended Complaint relate back to the date of the initially filed Complaint, December 26, 2023).

Respectfully submitted,

MYERS & WALLACE, LLP

/s/ Christopher C. Myers

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby swears and affirms that a true and correct copy of the above was served electronically to all counsel of record on May 6, 2024.

/s/ Christopher C. Myers